

## **FEDERAL LAND TRANSACTION FACILITATION ACT: BLM MONTANA IMPLEMENTATION**

### **PURPOSE OF BRIEFING DOCUMENT:**

To provide an update on the Montana Federal Land Transaction Facilitation Act (FLTFA) project status, encourage qualifying land acquisition nominations, and identify qualifying public land sales.

### **ISSUES:**

The FLTFA provides an opportunity for the four federal land-managing agencies (BLM, FWS, NPS, and USFS) to use a portion of the money derived from qualifying public land sales to purchase privately owned high priority lands. Proceeds from BLM land sales and land exchange cash equalization payments have been deposited into an acquisition account. However, no formal land acquisition nominations have been received to date from the public, any Montana BLM field offices, or any of the participating agencies.

The Secretaries of the Interior and Agriculture jointly decided to take 20 percent of the FLTFA acquisition funds from each state to fund 19 multi-state land acquisitions, with a total purchase price of \$17.85 million. The U.S. Fish and Wildlife Service was allotted \$1,425,000 of FLTFA funds to purchase 875 acres in the Red Rock Lakes National Wildlife Refuge in southwest Montana. There were no other FLTFA acquisitions in Montana.

All of the FLTFA land sale administration funds were removed from each state (\$87,000 for MT) and consolidated into a bureauwide account for use by any BLM office, with approval at the WO level.

FLTFA is scheduled to expire in July 2010. The BLM is working to get the bill extended, change the planning date requirement, and recommend other changes.

### **BACKGROUND:**

The FLTFA, a/k/a the "Baca Bill," was passed in July 2000 and is set to expire in 2010. The purpose of the act is to use a portion of the proceeds of public land sales and land exchange cash equalization payments to purchase qualifying lands or interest in lands. FLTFA also allows BLM to use 20 percent of the net proceeds to cover land sale administration costs.

A proposed acquisition must be an inholding or border a federally designated area, contain an exceptional resource, and be offered by a willing seller. Since FLTFA restricts acquisitions to lands in the eleven western states, FLTFA funds cannot be used to purchase lands in the Dakotas. FLTFA accounts were established at the BLM state office level. The final decision on all acquisition nominations is made jointly by the Secretaries of the Interior and Agriculture. Currently, only proceeds from disposal lands identified in land use plans completed by July 25, 2000, can be applied to a FLTFA account.

### **Status of Montana FLTFA Actions:**

- The National FLTFA Memorandum of Understanding and the Montana State Implementation Plan are in place.
- The state team is composed of the state/regional managers of FWS, NPS, USFS, and BLM, with the Montana-Dakotas BLM state director as the team chairman. The team will review acquisition nominations, determine priority order, and submit recommendations to the Secretaries of the Interior and Agriculture for final decision.
- Recommended fund allocation: BLM-60%; USFS-20%; NPS-10%; FWS-10%
- No Montana acquisition nominations have been received from the public, BLM field offices, or other agencies.
- Montana FLTFA Acquisition Account Balance: \$312,227

### **MAIN DECISION OR MESSAGE:**

BLM field offices need to submit qualifying land acquisition nomination packages to utilize the available funds. Once qualified land acquisition nominations are received, the interagency team will review and prioritize the nominations and send them forward for secretarial approval. Qualifying land sale proposals should be pursued to contribute to the FLTFA fund.

### **CONTACTS:**

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